

## Message Text

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FM SECSTATE WASHDC  
TO AMEMBASSY MEXICO

UNCLAS STATE 091334

E.O. 11652: N/A

TAGS: CGEN:MX

SUBJECT: JUDICIAL ASSISTANCE: REQUEST FOR MEXICAN

GOVERNMENT WITNESS IN UNITED STATES V. ARMANDO JULIO

AGUILAR-JOACHIN

1. DEPARTMENT OF JUSTICE URGENTLY REQUESTS ASSISTANCE OF  
EMBASSY IN THE FOLLOWING MATTER.

2. IN THE SUBJECT CASE, THE DEFENDANTS ATTEMPTED TO OBTAIN  
LOANS BY CLAIMING THAT THEY WERE ACTING ON BEHALF OF THE  
MEXICAN GOVERNMENT, WHEN IN FACT THEY HAD NO SUCH  
AUTHORITY. IN ORDER TO PROVE THAT THEIR STATEMENTS WERE  
FRAUDULENT, IT IS NECESSARY TO HAVE THE TESTIMONY OF A  
COMPETENT OFFICIAL OF THE GOVERNMENT OF MEXICO WHO CAN  
STATE AUTHORITATIVELY AT THE TRIAL THAT (1) MEXICO REQUIRES  
THE AUTHORIZATION OF A COMMITTEE CHAIRED BY REPRESENTATIVES  
OF THE MEXICAN TREASURY DEPARTMENT BEFORE THERE CAN BE ANY  
NEGOTIATIONS FOR FOREIGN LOANS ON BEHALF OF THE MEXICAN  
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GOVERNMENT, AND (2) THERE WAS NO SUCH AUTHORIZATION FOR  
THESE DEFENDANTS. JUSTICE HAS ALREADY REQUESTED, THROUGH  
MR. GABRIEL GOMEZ-RADILLA, LEGAL ADVISER AT THE MEXICAN

EMBASSY, THE MEXICAN CRIMINAL RECORDS OF THESE DEFENDANTS.  
THE TRIAL IN THIS CASE HAS BEEN SET FOR THE SECOND WEEK  
IN MAY. IT IS THEREFORE ESSENTIAL THAT THE APPROPRIATE

OFFICIALS OF THE MEXICAN GOVERNMENT BE APPROACHED CONCERNING THEIR WILLINGNESS TO TESTIFY IN EL PASO, TEXAS DURING THAT WEEK. MR. GOMEZ INFORMED JUSTICE THAT THE APPROPRIATE OFFICIAL COULD BE ASCERTAINED BY CONTACTING EITHER LICENCIADA CECILIA MOLINA OR LICENCIADO ALFONSO DE ROSENZWEIG-DIAZ.

3. EMBASSY REQUESTED TO MAKE THE APPROPRIATE INQUIRIES OF THE MEXICAN GOVERNMENT. THE FEDERAL BUREAU OF INVESTIGATION INFORMS US THAT THE LEGAL ATTACHE HAS ALREADY REQUESTED A MEXICAN GOVERNMENT OFFICIAL TO TESTIFY IN THIS MATTER, BUT WAS INFORMED THAT OFFICIALS OF THE MEXICAN GOVERNMENT CANNOT TESTIFY IN TRIALS OUTSIDE THE COUNTRY. MR. GOMEZ INFORMS US THAT THIS IS NOT ABSOLUTELY TRUE. OFFICIALS OF THE MEXICAN GOVERNMENT CAN TESTIFY OUTSIDE THE COUNTRY IF THEY ARE FORMALLY REQUESTED TO DO SO BY THE EMBASSY OF THE REQUESTING COUNTRY. WE EXPECT, THEREFORE, THAT A WRITTEN REQUEST WILL BE NECESSARY.

4. PLEASE ADVISE DEPARTMENT WHICH OFFICIAL HAS BEEN RECOMMENDED BY MOLINA OR ROSENZWEIG DIAZ AND WHICH DATE HE WILL BE AVAILABLE TO TESTIFY IN EL PASO. JUSTICE WILL SUPPLY APPROPRIATION DATA.  
VANCE

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